

RECEIVED

**CONDITIONS VOLUNTARILY PROFFERED
FOR THE RECLASSIFICATION OF PROPERTY
IDENTIFIED AS YORK COUNTY TAX MAPS:**
24-185A, 24-60-4, 24-60-17, 24-60-18, 24-60-20, 24-60-21

JUL 28 2000

PLANNING DIVISION
COUNTY OF YORK

I hereby voluntarily proffer that the development of the property owned by me proposed for reclassification under this application shall be in strict accordance with the conditions set forth below.

1. The property shall not be used for the following uses (as the same are defined in the zoning ordinance of the County of York, Virginia).

- a. Restaurant/fast food.
- b. Restaurant/drive-in.
- c. A car wash.
- d. A neighborhood shopping center.
- e. A regional shopping center.
- f. A convenience store.
- g. A toy store.
- h. A bait and tackle store.
- i. An automobile fuel dispensing establishment/service station.

2. In connection with any submission of a final site plan for the property, the applicant agrees to vacate the lot lines among the various lots comprising the property to form one large parcel provided all of the following conditions are met:

- a. The Subdivision Agent of York County deems it necessary for the property owner to vacate such lines; and
- b. The vacation of such lot lines will not violate, contradict or contravene the easements, terms, conditions and obligations set forth in that certain Declaration of Covenants, Conditions and Restrictions for Victory Park Property Owners Association, Inc. dated December 22, 1987 and recorded in the Clerk's Office of the Circuit Court for the County of York in Deed Book 506 at Page 321 (the Declaration) as may have been, or may in the future be, amended pursuant to the terms set forth in the Declaration; and

- c. The property owner is able to obtain all consents, if any, required by the Declaration to be obtained in connection with the vacation of such lot lines; and
 - d. The vacation of such lot lines is permitted under the Zoning and/or Subdivision Ordinances of the County of York, Virginia.
3. If the rezoning request contemplated by the application referenced herein and attached hereto is not approved by the York County Board of Supervisors, these proffers shall become null and void and of no effect whatsoever on the subject property.

St. Mark Lutheran Church

By: Michael S. Andersen
Trustee

Date: July 28, 2000

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